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## **City of Reading City Council**

### **Regular Meeting**

**Monday, January 12, 2008**

A regular meeting of City Council was held on the above date for the transaction of general business.

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Pastor Mohammed Sala, from the Islamic Center of Reading

All present pledged to the flag.

### **ATTENDANCE**

Council President Spencer  
Councilor Fuhs, District 1  
Councilor Goodman-Hinnershitz, District 2  
Councilor Sterner, District 3  
Councilor Marmarou, District 4  
Councilor Baez, District 5  
Councilor Waltman, District 6  
Mayor T. McMahon  
City Auditor D. Cituk  
City Solicitor C. Younger  
City Clerk L. Kelleher  
Sgt at Arms Capt R. Shafer  
Managing Director Hottenstein  
Fire Chief W. Rehr  
Police Chief W. Heim  
Deputy Fire Chiefs  
IAFF President Firefighter Keith Eschleman

### **PROCLAMATIONS AND PRESENTATIONS**

A Mayoral Proclamation was issued in recognition of the book drive for Greater Reading's Cops 'N Kids program, accepted by Julie Blatt and Nicole Crystal, of Barnes

and Noble Booksellers, Wyomissing.

## **STATE OF THE CITY ADDRESS**

Mayor McMahon gave the State of the City address, summarizing the Administration's 2008 accomplishments. A copy of the address is attached.

## **PUBLIC COMMENT**

Council President Spencer announced that 3 citizens were registered to address Council on non-agenda matters. He inquired if Council objected to suspending the rule requiring comment on non-agenda matters at the end of the meeting. No one objected, therefore, the rule requiring non-agenda comment at the end of the meeting was suspended. Council President Spencer reminded those registered to speak about the remaining speaking rules.

Greg Knies, Vice-President of the Reading Public Library Board of Directors and a member of the Library's Board of Trustees, expressed the Library Board's opposition to the Library staff reductions totaling approximately \$100,000 and representing 18.4% of the Library's budget. He stated that this reduction is much larger when compared to that applied to other City Departments. He noted that the Managing Director announced that this is not the last of the cuts for the 2009 calendar year. He noted that the Reading Public Library is the County's district library. The inability of the library to meet State mandates will result in further funding reductions, which will cause the collapse of the Reading Public Library. He reminded all that the Library is a valuable community resource that supports City and County residents.

Maryann Ciarlone, of North 5th Street, stated that she has not yet received the information she requested regarding Codes inspections. She stated that the Property Maintenance Code requires Codes staff to post the properties scheduled for inspection. She announced that she will come and request this information weekly. She stated that the Codes Office does not comply with the new State Right to Know requirements. She expressed the belief that the old adage "Don't Trust City Hall" has merit.

Gary Boyer, of Linden Street, described the quality of life problems caused by the tenants at 1416 Linden Street, who keep their 4 dogs (3 pit bulls and 1 Mastiff) penned outside, day and night. He stated that the dogs bark loudly and disrupt his sleep every night. He reported that he spoke with his neighbor about the problem but the neighbor has not cooperated. He requested the City's assistance.

## **APPROVAL OF AGENDA**

Council President Spencer asked Council to consider the agenda for this meeting including the legislation listed under the consent agenda heading.

**Councilor Sterner moved, seconded by Councilor Baez, to approve the agenda and the legislation listed under the Consent Agenda heading. The motion was approved unanimously.**

## **CONSENT AGENDA**

**Resolution No. 5-2009** - authorizing the DCED application for \$5,000,000 from the Federal Neighborhood Stabilization Program to address the acquisition, demolition and/or rehabilitation of blighted and foreclosed properties (**CD Department**)

## **ADMINISTRATIVE REPORT**

Due to the State of the City Address, a report was not issued.

## **AUDITOR'S REPORT**

City Auditor Dave Cituk read the report distributed to Council at the meeting covering the following topics:

- Year end figures of the 2008 Admissions Fee
- Year end figures of the 2008 Transfer Tax

Councilor Sterner asked the Auditor the amount budgeted for Transfer Tax revenue in the 2009 Budget. The Auditor stated that \$5,000,000 was budgeted for the Transfer Tax in the 2009 Budget.

## **ORDINANCES FOR FINAL PASSAGE**

**Bill No. 1-2009** - amending the code of ordinances of the City of Reading, Berks County, Pennsylvania, fee schedule, administrative fees, public record fees (**Council staff**) ***Introduced at the January 12 regular meeting***

**Councilor Waltman moved, seconded by Councilor Baez, to enact Bill No. 1-2009.**

Bill 1-2009 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman,  
Spencer President – 7.

Nay: None – 0.

**Bill No. 2-2009** – authorizing the transfer of \$248,000 from the Self Insurance Fund Water/Sewer Main Break line item #52-11-00-4517 into the Incurred Liability Claims line item #52-11-00-4749 **(Human Resources)** *Introduced at the January 12 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Baez, to enact Bill No. 2-2009.

Bill 2-2009 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman,  
Spencer President – 7.

Nay: None – 0.

**Bill No. 3-2009** - amending the City of Reading Codified Ordinances Chapter 1 Administration and Government, Part 1 Administrative Code, Section 1-185 – 9 C Annual Budget – Budget Organization and Content **(Council Pres Spencer)** *Introduced at the January 12 regular meeting*

Councilor Fuhs moved, seconded by Councilor Sterner, to enact Bill No. 3-2009.

Council President Spencer stated that this amendment will require the addition of management salaries in the Full Time Position Ordinance. He stated that this will prevent the Administration from providing salary increases above the standard parameters.

Bill 3-2009 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman,  
Spencer President – 7.

Nay: None – 0.

**Bill No. 4-2009** - amending The Codified Ordinances Of The City Of Reading Chapter 1 – Section 1-186, 3, G by adding a new (3) requiring Council approval for all expenditures made from any and all Agency Funds and any and all line items and allocations made in the “Department: Non-Departmental” area of the General Fund Budget (**Council President Spencer**) *Introduced at the January 12 regular meeting*

Councilor Waltman moved, seconded by Councilor Baez, to table Bill No. 4-2009.

Bill 4-2009 was tabled by the following vote:

Yea: Baez, Goodman-Hinnershitz, Marmarou, Sterner, Waltman,  
Spencer President – 6.

Nay: Fuhs - 1.

**Bill No. 5-2009** - amending the City of Reading organizational chart as follows: adding the Division of Codes Services to the Department of Police; adding the Divisions of Information and Technology and Call Center to the Department of Finance; adding the Division of Zoning and Trades to the Department of Community Development; eliminating the Office of Neighborhood Development under the Managing Director (**Managing Director**) *Introduced at the January 12 regular meeting*

Councilor Marmarou moved, seconded by Councilor Sterner, to enact Bill No. 5-2009.

Bill 5-2009 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman –  
6.

Nay: Spencer President - 1

**Bill No. 6-2009** – Amending the City of Reading Codified Ordinances Chapter 10 Part 17 Sidewalk Vendors (**Council Staff/Law**) *Referred to focus group in October 2008, focus group sessions completed 1-21-09; re-Introduced at the January 12 regular meeting*

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to enact Bill No. 6-2009.

Councilor Goodman-Hinnershitz expressed her belief in the process used to refine the proposed amendment to the Sidewalk Vendor Ordinance. She stated that numerous meetings were held with the affected vendors, other parties and City staff. She noted that the Sidewalk Vendor Ordinance does not apply to vendors operating on private property, like a parking lot. Vendors operating on private property must obtain a zoning permit before operating on a private lot.

Council President Spencer also thanked City Staff, Codes representatives, Ms. Butler from the Solicitor's Office and Council staff for their work to refine the ordinance and decipher the requirements for vendors operating on private property.

**Bill 6-2009 was enacted by the following vote:**

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman – 6.**

**Nay: Spencer President - 1**

### **Pending**

#### **Advertisement and Public Hearing Required by MPC**

##### **Notice of Pending Ordinance Doctrine**

**Ordinance** - to adopt an amendment to the Zoning Ordinance under the authority of the Pennsylvania Municipalities Planning Code, which adds a Planned Residential Development (PRD) overlay called the “RR Riverfront Redevelopment Overlay Zoning District” and to apply the new district to lands from the centerline of the Schuylkill River to areas to the east and northeast of the river, including areas generally south and southwest of Franklin St, along both sides of S. 2<sup>nd</sup> St. and Riverfront Dr., and along both sides of Canal Street including areas south of Laurel St., south of Willow St., west of S. 7<sup>th</sup> St. and north of South St. and as shown in more detail on the attached RR zoning overlay district map **(Solicitor) Introduced at the December 8 regular meeting; public hearing held January 8**

**Ordinance** - amending the City of Reading Code of Ordinances Chapter 27 Zoning by creating a new section in Part 11 Additional Requirements for Specific Uses of Zoning Districts by placing requirements for the rental of single family homes in areas zoned R-1, R-1a and R-2 and amending the definitions section **(Council Staff)**

## **INTRODUCTION OF NEW ORDINANCES**

Council President Spencer read the following Ordinances into the record:

**Ordinance** – increasing the salary of the Police Chief to \$108,957.13, a 4% increase, per annum retroactive to January 23, 2009 **(Managing Director)**

**Ordinance** – amending the full time position ordinance by creating the position of Gun Safety Coordinator in the Mayor's Office **(Managing Director)**

## **RESOLUTIONS**

**Resolution 6-2009** – appointing Brian Bingaman to the Planning Commission **(Admin Oversight)**

**Resolution No. 7-2009** – appointing Lori Knockstead to the Stadium Commission **(Admin Oversight)**

**Resolution No. 8-2009** – appointing Robert Fegley to the Plumbing Board **(Admin Oversight)**

**Resolution No. 9-2009** – appointing Henriette Alban to the Library Board of Trustees **(Admin Oversight)**

**Resolution No. 10-2009** – appointing Raymond Schuenemann III to the Water Authority **(Admin Oversight)**

**The Administrative Oversight Committee moved to adopt Resolutions 6 through 10-2009.**

Councilor Marmarou noted the quality and skill of the individuals appointed tonight. He stated that Ms. Knockstead is the first female ever appointed to the Stadium Commission. He also noted the enthusiasm of all being appointed this evening.

**Resolutions 6 through 10-2009 were adopted by the following vote:**

**Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 7.**

**Nay: None - 0.**

## **COUNCIL COMMENT**

Councilor Fuhs wish everyone a Happy Chinese New Year. He stated that this year is the year of the ox.

Councilor Fuhs also thanked the Mayor for the State of the City report. He extended an invitation to the City's three collective bargaining units to participate on the Blue Ribbon Panel and in budget discussions over the course of the year.

Councilor Fuhs announced the Reading LRA public meeting on the reuse of the Navy Marine Center on Wednesday, January 28th at 7 p.m. at the 7th Day Adventist Church. He encouraged all citizens to participate and provide input at this meeting. He also noted the upcoming second PRD Public Hearing scheduled for Wednesday, February 18th at 5 p.m. in Council Chambers. He stated that the second hearing is being properly advertised in accordance with the Pa MPC.

Councilor Fuhs also noted that Council District seats 1, 4, and 5 and the President of Council seat are up for election in 2009, along with various County row office seats and Reading School Board seats. He stressed the need for citizen participation in this election.

Councilor Baez stated that she and local artist Ed Terrell will appear on the In Your District program on Thursday, February 5th at 8 p.m. on the BCTV MAC Channel.

Councilor Baez also noted the upcoming town meeting in the Riverside area at the end of February.

Councilor Sterner noted the importance of the Reading Public Library in the Reading community. He noted the County's repeated refusal to increase their annual contribution negotiated in 2000. He questioned the County Commissioners interest in true regionalization as they will not consider increasing their annual contribution to support the Library service.

Councilor Sterner announced the upcoming community meetings:

- Crime Watch meeting on Wednesday the 28th at 6:30 p.m. at 13th and Green
- St. Marks Lutheran Church on Wednesday the 28th at 6:30 p.m.

Councilor Marmarou requested that the Police Department assist Mr. Boyer's quality of life problems with the tenant at 1416 Linden Street. He stated that he would visit the property and provide a report.

Councilor Goodman-Hinnershitz noted the difficulties all City operations are experiencing due to the need for budget reductions. She agreed that the County should increase their contribution to the Library's operations, as the amount negotiated was a minimum. She noted the important core services provided by the Library system.

Councilor Goodman-Hinnershitz agreed that Reading residents should consider running for the various positions up for election in the coming months. She also noted that citizens can also volunteer to serve on the City's Boards, Authorities and Commissions.

Councilor Waltman thanked the Mayor for the State of the City report. He noted the various impacts on several City departments and the need for all to work to define the City's core services.

Councilor Waltman noted his surprise when he learned that the Administration will fine those who warm up their vehicles without staying with their vehicle. He expressed hope the police officers will use a great deal of discretion before issuing a citation, especially during cold weather months.

Councilor Waltman stated that it seems that City Council is usually targeted and blamed for some failings of the City and some policy disagreements with the Administration. He noted Councils' continued work to find compromise. He noted his hope that before publicly criticizing Council, people will discuss their concerns with Councilors.

Council President Spencer inquired if the Administration instructed the Library to reduce expenses by 18.4%. Mr. Hottenstein did not respond. Mr. Knies, from the audience, affirmed. Council President Spencer inquired if the Director of the Library was consulted before these cuts were made. Mr. Kasprovicz stated that he was told to prepare a plan to reduce expenses by 4% and by 8%. He stated that cutting one full time position represents 10% of the Library's budget. The second reduction made by the Administration increases the reduction percentage to almost 20%.

Council President Spencer inquired why Ms. Ciarlone's request for information was ignored. Mr. Hottenstein explained the procedure.

Council President Spencer inquired if dog barking is included in either the Noise Ordinance or the Animal Control Ordinance. Captain Shafer stated that research is required.

Council President Spencer reviewed the upcoming meeting schedule.

Councilor Marmarou moved, seconded by Councilor Fuhs, to adjourn the regular meeting of Council.

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to adjourn the regular meeting of Council.**

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Linda Kelleher  
City Clerk